

U.S. Department of Justice  
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"  
on the reverse of this form.

PLAINTIFF <b>D.N. Kelley + Son, Inc.</b>		COURT CASE NUMBER <b>03-12593 RWZ</b>	
DEFENDANT <b>F/V Resilience</b>		TYPE OF PROCESS <b>In Rem Arrest Warrant</b>	
<b>SERVE</b> ➔	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <b>F/V Resilience (EX: F/V Bullwinkles (010487) as currently located</b>		
	ADDRESS (Street or RFD, Apartment No., City, State, and ZIP Code) <b>on land at D.N. Kelley + Son, Inc., 32 Water St., Fairhaven, MA</b>		
<b>AT</b>			
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:		Number of process to be served with this Form - 285	
<input type="checkbox"/> Attorney Andrew B. Saunders Saunders + Michaud LLP 700 Pleasant Street New Bedford, MA 02740		Number of parties to be served in this case	
		Check for service on U.S.A. <input type="checkbox"/>	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Plaintiff is also seeking Order to be appointed Substitute Custodian during the pendency of this action. Service is available during normal business hours. Vessel is currently located at Plaintiff's facility in Fairhaven, MA. Any questions should be directed to Attorney Andrew B. Saunders (cell # 508-264-6230).

Signature of Attorney or other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER <b>508 999-0600</b> <b>508 264-6230 (cell)</b>	DATE <b>2/22/03</b>
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**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process <b>1</b>	District of Origin No. <b>38</b>	District to Serve No. <b>38</b>	Signature of Authorized USMS Deputy or Clerk <b>Nancy Salameh</b>	Date <b>12/23/03</b>
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☒ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above) <b>Kevin McLaughlin DN Kelley + Son</b>	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above)	Date of Service <b>1/23/03</b>

Time <b>10:30</b>	am <b>pm</b>
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Signature of U.S. Marshal or Deputy <b>[Signature]</b>							
<table border="1"> <tr> <td>Service Fee <b>90</b></td> <td>Total Mileage Charges (including endeavors) <b>60 miles</b></td> <td>Forwarding Fee</td> <td>Total Charges <b>111.60</b></td> <td>Advance Deposits</td> <td>Amount owed to U.S. Marshal or</td> <td>Amount of Refund</td> </tr> </table>	Service Fee <b>90</b>	Total Mileage Charges (including endeavors) <b>60 miles</b>	Forwarding Fee	Total Charges <b>111.60</b>	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS:  
**1 Dism 2 hrs (served/seized)**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**IN REM WARRANT OF ARREST**

CIVIL ACTION NO.

**THE PRESIDENT OF THE UNITED STATES OF AMERICA:**

To the Marshal of the District of Massachusetts or his deputies:

**GREETINGS:**

WHEREAS, a Verified Complaint in Admiralty has been filed in this Court entitled:

D.N. Kelley & Son, Inc.  
Plaintiff,  
vs.

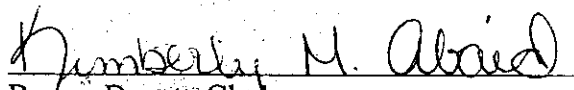
F/V Resilience (ex F/V Bullwinkle)(O.N. No. 660487)  
Her Engines, Tackle, Apparel, and Appurtenances, Etc., *In Rem*  
Defendant.

on the 22nd day of December, 2003, upon an Admiralty and Maritime claim praying that process issue for the arrest of the vessel or other property that is the subject of this action;

YOU ARE THEREFORE COMMANDED to attach defendant vessel F/V RESILIENCE (ex F/V BULLWINKLE (O.N. No. 660487), her engines, tackle, apparel, furniture, equipment, rigging, fishing licenses, fishing history and all other necessities appurtenant thereto, now located within his District at D.N. Kelley & Son, Inc., 32 Water Street, Fairhaven, Massachusetts, or any other location within the District of Massachusetts, and to detain the same in your custody until further order of the Court respecting same.

Dated at Boston, Massachusetts on this 23rd day of December, 2003.

By Order:

  
By: Deputy Clerk

**Note:** Any claimant of the property seized shall file his/her claim within ten(10) days after the Warrant has been executed, and shall serve his/her answer within twenty (20) days after filing of the claim.